

LAW OFFICES
Bruce D. Katz & Associates

Attorneys and Counselors at Law

The Transportation Building

225 Broadway, 37th Floor

New York, New York, 10007

(212) 208-3424

(212) 208-3060 Fax

MEMO ENDORSED

September 7, 2007

BY FACSIMILE (212) 805-6717 (with prior permission)

Hon. Richard M. Berman
United States District Judge
United States Courthouse
500 Pearl Street, Room 650
New York, NY 10007

*Conference adjourned to
9/28/07 @ 10:00 AM
with principals.*

Re: Gucci America, Inc. et al. v. HGL Enterprises et al.
Civil Action No. 07-CV-5569(RMB)

SO ORDERED:

Date: 9/7/07

Richard M. Berman
Richard M. Berman, U.S.D.J.

Dear Judge Berman:

I am counsel for defendant, Herlinda Leizgold, in the above captioned matter and I am writing on behalf of the parties to jointly request an adjournment of the status conference currently scheduled for Monday, September 10, 2007. I apologize for the belated nature of this letter, which was the result of an extremely serious family medical emergency that has kept me out of the office since Tuesday afternoon until today.

Plaintiffs' counsel, Howard Hogan contacted me on Tuesday morning as I was preparing to travel to the hospital. Mr. Hogan advised me that he wished to discuss a settlement proposal that he believes will satisfy all parties. Since plaintiffs' counsel is aware of my client's very modest resources, I also believe that settlement is imminent.

For the foregoing reason, we jointly agreed to request an adjournment of Monday's conference. An adjournment is believed to be in the interest of all parties. Thus far, my client has agreed to all of plaintiffs' demands and consented to the entry of a temporary restraining order that can, in large part, be converted to a final judgment on consent.

In the event settlement is not reached within the next two weeks (by September 21, 2007), I will promptly advise the Court and request the scheduling of a conference.

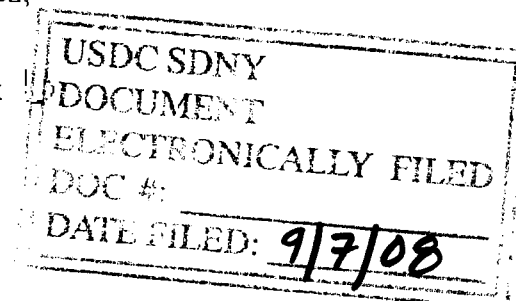
In view of the foregoing, the parties respectfully request an adjournment of the conference scheduled for this Monday, September 10, 2007.

Respectfully submitted,

Bruce D. Katz

Bruce D. Katz

cc: Robert Weigel, Esq.; Howard S. Hogan, Esq. (by email)



WACHTEL & MASYSR, LLP

110 EAST 59TH STREET
NEW YORK, NEW YORK 10022

LONG ISLAND OFFICE
1055 FRANKLIN AVENUE, SUITE 305
GARDEN CITY, N. Y. 11530
TELEPHONE: (516) 248-4300
FACSIMILE: (516) 478-6798

EUROPEAN OFFICE
VIA G. LA PIRA, 21
FLORENCE, ITALY 50121
TELEPHONE: (055) 284147
FACSIMILE: (055) 288594

TELEPHONE: (212) 909-9800
FACSIMILE: (212) 371-0320

STEVEN J. COHEN
PARTNER
DIRECT DIAL: (212) 909-9800
DIRECT FAX: (212) 909-9483
cohen@wmlp.com

MEMO ENDORSED

Via Facsimile (212)-805-6717

Honorable Richard M. Berman
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 650
New York, NY 10007

September 7, 2007

Respectfully,
No postponement is

warranted. Counsel

+ parties to be present

① 2:30

SO ORDERED:

Date: 9/7/07

Richard M. Berman

Richard M. Berman, U.S.D.J.

Re: Trident Growth Fund, L.P. et al. v. Victor Cosmeceuticals, Inc. et al.
06 CV 13292 (RMB)

Dear Judge Berman:

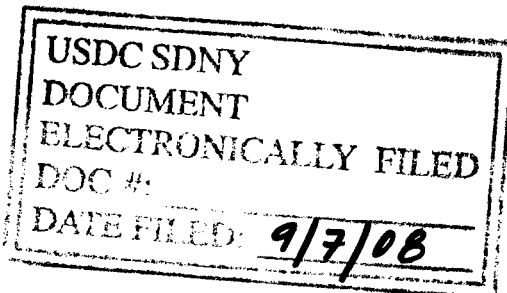
We represent plaintiff Sanders Opportunity Fund, L.P. and all other plaintiffs in the above captioned action except Trident Growth Fund, L.P. I just participated in a conference call with David Frydman, Esq. counsel for plaintiff Trident, and John Pavia, Esq., counsel for defendants. Mr. Pavia stated that defendants have no new information to report on new financings or settlement. All counsel agreed that it would be unproductive to have any further settlement conferences at this point, including the one scheduled for Monday, and we respectfully request that the Court postpone such conferences and issue a decision and order on defendants' pending motion to dismiss the Complaint.

We understand that the conference presently scheduled for Monday has now been set for 2:30 pm, and we therefore appreciate your Honor's prompt attention to this letter application.

Respectfully submitted,

WACHTEL & MASYSR, LLP

By: *[Signature]*
Steven J. Cohen (SC- 1289)



Honorable Richard M. Berman
September 7, 2007
Page 2 of 2

Cc: John Pavia, Esq. (via facsimile)
Christopher Andrews, Esq. (via facsimile)

Attorneys for Defendant

David S. Frydman, Esq. (via facsimile)

G:\CLIENT DOCUMENTS\Victor Cosmeceuticals\correspondence\cohen letter to Judge Berman 9.7.2007.doc

TOTAL P.03

09/07/07 FRI 13:59 [TX/RX NO 7659]

Wachtel & Masyr, LLP

FACSIMILE TRANSMITTAL

Office of Steven J. Cohen, Esq.

Direct Telephone: 212-909-9505

Direct Facsimile: 212-909-9463

TO: Hon. Richard M. Berman, U.S.D.J. Fax No.: (212) 805-6717

DATE: September 7, 2007

Number of Pages: (Including Cover Page) 3

MESSAGE:

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, KINDLY NOTIFY US BY TELEPHONE IMMEDIATELY, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

110 East 59th Street + New York, NY 10022

G:\CLIENT DOCUMENTS\V\Victor Cosmoceuticals\Faxes\Fax to Berman 9.2007.doc